

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of Amendment of Part 97 of the Commission's Rules To Implement WRC-03 Regulations Applicable to Requirements for Operator Licenses in the Amateur Radio Service RM-10809,	) WT Docket No. 05-235 ) RM-10781, RM-10782, RM-10783, ) RM-10784, RM-10785, RM-10786, ) RM-10787, RM-10805, RM-10806, ) RM-10807, RM-10808,  RM-10810, RM-10811, RM-10867, RM-10868, RM-10869, RM-10870
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**COMMENTS BY STEVEN E. MATDA, KE4MOB**

Background

I have been a licensee in the Amateur Service for 11 years, holding an Amateur Extra class license. At the time of my licensing, the rules stated that the requirements for Extra class were successful completion of 5 written exams and a 20 WPM Morse examination. My interests in amateur radio have varied in the past 11 years from CW to SSB voice, then to digital, and now back to CW.

I personally have witnessed in those 11 years the reduction in the code requirement from a three-tiered system of 20, 13 and 5 WPM tests to a single 5 WPM test. The Commission has now proposed the discontinuance of all Morse testing to align Commission regulations with those of the International Telecommunications Union (ITU).

Discussion:

The Commission set out the rationale for this NPRM as follows:

“We believe that this proposal, if adopted, would

- (1) encourage individuals who are interested in communications technology, or who are able to contribute to the advancement of the radio art, to become amateur radio operators;
- (2) eliminate a requirement that we believe is now unnecessary and that may discourage amateur service licensees from advancing their skills in the communications and technical phases of amateur radio; and
- (3) promote more efficient use of the radio spectrum currently allocated to the amateur radio service.”

(1) Individuals have always been able to contribute to the advancement of the radio art whether or not they were licensed. With the advent of the no-code Technician license, all interested parties capable of passing a written exam are able to participate in amateur radio without needing to possess Morse operating skill. It should be noted that all

current Extra, Advanced, General, Tech-Plus and Novice class licensees have demonstrated at least a 5 WPM Morse proficiency. So if all these licensees have passed a Morse examination, how can the Commission reasonably claim that potential licensees are being discouraged?

By looking at the licensing statistics, there have been instances when the Technician class of license has declined in numbers, while other classes of licenses requiring Code examination have increased. In March 2000, there were over 338,000 Technician licensees (source: [www.ahoa.org](http://www.ahoa.org)). Today the number stands at over 317,000 licensees, *a net loss of over 21,000 licenses in a license class currently requiring no code examination* (it should be noted for full disclosure that some of these licensees did in fact pass a code exam and were de facto "Tech-Plus" licensees). Regardless, in the same timeframe the General class license requiring a 5 WPM Morse examination *has grown from 109,000 to 136,000, a net gain of 27,000 licenses*.

So it is obvious by the conflicting statistics that the presence (or lack thereof) of a Morse examination is irrelevant as far as licensing or advancement of the radio art is concerned.

(2) The Commission in the NPRM (p. 20) states:

"Also, the purpose of the written examinations, under our rules, is not to determine whether a person has achieved a particular level of skill, but rather to determine whether an individual can properly operate an amateur station."

Broadening this idea, if one agrees with the argument that testing in general has no bearing on a person's skill, then how can the mere presence of a testing requirement impede the acquisition of skill? Learning occurs regardless of whether or not a person has passed a Morse examination, and it cannot be proven otherwise.

(3) The Commission argues that by discontinuing Morse testing more effective use of the amateur spectrum will result. Unfortunately, the Commission has given no evidence to evaluate this claim, and I really must question its veracity because it flies in the face of common sense and of Commission's statements in the past. These statements have repeatedly indicated that testing regimes have no reflection on the operational habits of licensees. If the Commission were truly serious about promoting spectrum efficiency in the Amateur Service, it would either rework the Amateur Spectrum to promote Morse and digital modes amongst voice operators or remove the three-tiered licensing structure and replace it with a single license class. Instead, the Commission (and the ARRL) promotes increased use of spectrally inefficient voice modes and the continual reworking of a broken multi-tiered licensing system.

#### Other Issues:

One of the arguments made by those wishing to drop the Code requirement is that many operators cited by the Commission for violations have in fact passed Morse examinations. Therefore, these parties state that the code examination does not serve as an accurate assessment of operator's qualifications. In response, I must point out that those operators in question have passed written examinations as well. Yet written examinations are not being challenged as an ineffective gauge of operator qualifications.

Further, the Commission indicates that the Morse testing requirement should be dropped because it is no longer required by international treaty. But written

examinations are not mandatory according to treaty, either. The ITU only stipulates that member organizations “shall verify” the operating qualifications of licensees. It does not specify how the verification should be conducted. Even though I do not see anyone advocating the cessation of written testing at this time, the cessation of Morse testing could “open the door” procedurally for parties to argue that all testing should be discontinued.

Further, while most countries are dropping the code requirement entirely, others (most notably Japan) have decided to retain some form of code testing for some license classes. It should be noted Japan has more amateurs than any other country (and nearly twice the amateur population of the United States). So there is precedent in the international community for the retaining of code testing, by none other than the country with the largest amateur population.

Some argue that Morse is obsolete and therefore should be removed as a testing element. Looking at other modulation methods in use by amateurs, one discovers that single-sideband phone (SSB) is over 60 years old. Radio teletype (RTTY) using the Baudot code is similarly a throwback from the first half of the last century. And both have been mostly replaced in commercial usage by high-speed digital voice and wideband data transmissions. These modes are in fact obsolete as well. But no one argues that questions involving these topics should be exorcised from the testing syllabus.

Other parties worry that the Morse requirement alienates some amateurs and should be removed. The Commission in reviewing the responses must realize that this is an emotional issue. If Morse testing is dropped entirely, then amateur radio may stand to lose just as much as it gains. Responses to the NPRM indicated that some steadfast Morse code supporters would leave the service forever out of a sense of alienation, desperation, and frustration on seeing the Commission (and amateur radio itself) declare their experience, knowledge, and philosophy irrelevant. Some of these exact same Morse supporters have been licensed for decades and learned Morse while in either the military or in commercial pursuits, and are a valuable part of the “pool of trained radio operators” as set forth in Part 97. The Commission cannot proclaim that this NPRM will benefit the Amateur Service without recognizing that it may irreparably harm the service as well.

One of the yardsticks by which rules must be measured against is the public interest. How is the public interest served by having disenfranchised Morse supporters leave the service, especially when no evidence has been presented that they will be replaced in like numbers with new licensees of similar qualifications and experience? It is entirely possible that the increase in licensees will be more than offset by a loss of experience and knowledge. I do not believe that the Commission has fully explored and quantified this contingency.

The Commission must tread very lightly on this issue and weigh the consequences appropriately. On the one hand it is generally agreed that the Commission should allow Code-free HF access at greater levels. But at the same time, it should recognize that Morse is a historically significant part of the amateur-testing regime. Its discontinuance should not appreciably affect the existing amateur radio population (the “trained pool of radio operators”) so as to preserve the public interest. I believe if the Commission adopts the NPRM as proposed, it will be doing so without fully taking into account the

far-reaching long term impact of the loss of some of the most experienced amateur operators disenfranchised by this decision.

Conclusion:

Just because we can do something, doesn't necessarily mean we should.

I think there is only one win-win solution. That is to remove the Morse requirement for the General class licensee. On the other hand, the Morse requirement for Extra should either be retained at 5 WPM or increased to either 7 or 10 WPM.

This would give enhanced availability of HF bands for amateurs wishing to pursue amateur radio interests without knowledge of Morse operation. It would also retain existing Morse aficionados who might leave the service out of frustration of having the code requirement dropped completely. All interests are rewarded in this solution, and I implore the Commission to consider its implementation.

I thank the Commission for its time.

Sincerely,

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